

Tribal Consultation

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**CALFED
BAY-DELTA
PROGRAM**

1416 Ninth Street, Suite 1155
Sacramento, California 95814

(916) 657-2666
FAX **(916) 654-9780**

M e m o r a n d u m

Date: August 4, 1999
To: CALFED Policy Group
From: Alf W. Brandt, Regional Coordinator
Club FED *Alf Brandt mcs.*
Subject: Consultation with California Tribes
September 2, 1999 - San Francisco Corps of Engineers Headquarters

Federal and state agencies will consult with all interested California Indian tribes regarding the CALFED Bay-Delta Program on **September 2, beginning at 1:00 p.m. in the Army Corps of Engineers Division Headquarters, 333 Market Street, Room 819, San Francisco.** The invitation letter will go out to all California tribal leaders this week.

Federal Trust Responsibilities. Federal law imposes on all federal agencies certain trust responsibilities for Indian tribes. The Department of the Interior and its Bureau of Indian Affairs have particular trust responsibilities for the federally recognized tribes. As sovereign nations, the federally recognized tribes are owed the respect that any other sovereign would be given. On April 29, 1994, President Clinton issued an executive order to the Heads of Executive Departments and Agencies, requiring them to:

- ensure that their agencies operate within a "government-to-government relationship with federally recognized tribal governments"
- "consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally recognized tribal governments"
- assess the impact of Federal Government plans, projects, programs and activities on tribal trust resources
- remove any procedural impediments to working directly and effectively with tribal governments

The September 2 consultation is the next step in fulfilling federal responsibilities and generally building a relationship between affected tribes and all CALFED agencies.

Goals for Consultation. Because we have not identified which tribes' resources will be affected at this stage in CALFED, we have invited all California tribes and will be better able to identify which tribes are most interested and affected. The September 2 consultation is intended to be a 2-way discussion. While CALFED will brief the tribal leaders or their designees on the Program, we look forward to hearing from the tribal leaders as to how CALFED may affect their tribal trust resources and how they wish to work with CALFED. The importance of this dialogue makes Policy Group participation critical.

CALFED Agencies

California The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board
Department of Food and Agriculture

Federal Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Geological Survey
Bureau of Land Management
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
U.S. Forest Service
Department of Commerce
National Marine Fisheries Service
Western Area Power Administration